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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
PHAM, KHANH B	

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/710,955	ANDERSON ET AL.	
	Examiner	Art Unit	
	Khanh B. Pham	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 May 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-5,7-11,28 and 29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-5,7-11,28 and 29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. **Claims 1, 3-5, 7 and 29 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Bouve et al. (US 5,682,525 A), hereinafter "**Bouve**", in view of Hancock et al. (US 6,202,023 B1), hereinafter "**Hancock**";

As per claim 1, Bouve teaches a method for searching a database in an information retrieval system according to user-identified geographical location information, comprising the steps of:

- "creating a database for storing at least geographical location information for each of a plurality of items of interest" at Col. 2 lines 14-17;
- "receiving geographical location information corresponding to a location of a user's communications device" at Col. 10 lines 28-42;
- "receiving a search request from the user, and detecting whether the request is to search the database for items of interest located in a vicinity of the geographical location of the user's communication device or of a different geographical location identified by the user" at Col. 10 lines 28-42 ;
- "generating a search query for items of interest only within a certain geographical proximity of the geographical location identified by the user" at Col. 5 lines 14-21;

Bouve does not explicitly teach: "different location identified by the user being a previous location of the user's communication device, wherein information regarding the different geographical location is pre-configured by the user at a prior time" as claimed. However, Hancock teaches a similar method for querying a database and providing information services to users based on their geographical location (Col. 1 lines 15-20), wherein: "information regarding the different geographical location is pre-configured by the user at a prior time" at Col. 8 line 60 to Col. 9 line 10 and "different location identified by the user being a previous location of the user's communication device" at Col. 26 lines 19-22 and Col. 27 lines 40-49 (Hancock uses current location to predict future desired location, therefore at any point in the future, current location becomes previous location as claimed). Thus, it would have been obvious to one of ordinary skill in the art

at the time the invention was made to modify Bouve's teaching based on Hancock's teaching so that "information regarding the geographical location is pre-configured by the user", in order to allow users to identify geographical location using easy to remember identifiers, or labels. For example, "Ms. Mary Smith may name her house MARY.SMITH.HOUSE. Thus, when Ms. Smith wants to direct someone using a locational service to her house, she identifies her location using MARY.SMITH.HOUSE, rather than a street address." (Hancock, Col. 8 line 60 to Col. 9 lines 3.) . This modification "are useful as it keeps user input to a minimum, increasing safety, reliability, and convenience" (Hancock, Col. 9 line 9-11). Further, Hancock's method of using previous location of the user's communication device to predict current location also "useful as it keeps user input to a minimum, increasing safety, reliability and convenience" as notes by Hancock.

As per claim 3, Bouve and Hancock teach the method of claim 1 as discussed above. Hancock also teaches: "the geographical location information of the user's mobile communication device is determined by triangular of control signal strength received at cell towers surrounding the user's communication device" at Col. 3 lines 55-61. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Bouve and Hancock's teachings so that the user's current geographic location could be automatically determined without requiring user to

input his/her location information or using an external location determining device, and the accuracy of the location information would be improved.

As per claim 4, Bouve and Hancock teach the method for searching a database according to claim 1 as discussed above. Bouve also teaches: "the user's communication device comprise a mobile communications device, and the geographical location information of the user's mobile communication device is determined by a GPS receiver within the user's communication device" at Col. 10 line 61 to Col. 11 line 1.

As per claim 5, Bouve and Hancock teach the method for searching a database according to claim 1 as discussed above. Hancock also teaches: "the step of generating a search query comprises calculating a radial distance surrounding the specified graphical location and searching for items of interest at geographical locations within the calculated radial distance" at Col. 30 lines 10-21.

As per claim 7, Bouve and Hancock teach the method for searching a database according to claim 1 as discussed above. Hancock also teaches: "the user's communication device comprises a mobile communications device, and the different geographical location specified by the user is a location known to the system and is then personalized by the user for a future search as a personalized landmark for a radial search" at Col. 27 lines 39-49.

As per claim 29, Bouve and Hancock teach the method as in claim 1 discussed above. Hancock also teaches: "wherein the geographical proximity is a radial distance relative to the geographical location identified by the user" at Col. 27 lines 39-49.

4. **Claims 8-11 and 28 are rejected** under 35 U.S.C. 103(a) as being unpatentable over **Bouve** and **Hancock**, as applied to claims 1, 3-5, 7 above, and further in view of Rennard et al. (US 6,615,131 B1), hereinafter "**Rennard**".

As per claim 28, Bouve and Hancock teaches the method as in claim 1 discussed above. Bouve and Hancock does not explicitly teach: "the step of detecting comprises orally creating a specified name using a mobile communications device and associating the specified name with the different geographical location while the user is in the different geographical location" as claimed. However, Rennard teaches a similar method for querying a database and providing information services to users based on their geographical location (Col. 2 lines 40-60), wherein: "information regarding the different geographical location is pre-configured by the user at prior time, by orally creating a specified name using the mobile communication device and associating the specified name with the different geographical location while the user is in the different geographical location" at Col. 21 line 45 to Col. 22 line 9 and Col. 13 line 62 to Col. 14 line 13. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bouve and Hancock's teachings based on Rennard 's teaching in order provide a safe environment for inputting data and to reduce the number of input by users while using the system. As noted by Rennard, "it is desirable to provide an enhanced operating environment, in which the user is required to supply only reduced number of inputs, while using the navigation system. Thus, where a user is driving, for example, an enhanced operation environment provides

important navigational output with minimal user inputs. It is thus desirable that allows a user to input complex information through alternative devices ahead of time" and "allow the user to input information by means of voice entries" (Rennard, Col. 11 lines 5-17).

As per claim 8, Bouve, Rennard and Hancock teach the method for searching a database according to claim 28 as discussed above. Rennard also teaches the steps of:

- "receiving a name specified by the user for the specified geographical location; storing the specified name and corresponding geographical location information as an entry in a locations table" at Col. 21 line 40 to Col 22 line 8;
- "upon receiving a request to search for items of interest in the vicinity of a geographical location specified by name, (i) searching the locations table for the specified name, and (ii) providing the geographical location information corresponding to the specified name in a search query" at Col. 21 line 40 to Col 22 line 8 .

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bouve and Hancock's teachings based on Rennard 's teaching in order provide a safe environment for inputting data and to reduce the number of input by users while using the system. As noted by Rennard, "it is desirable to provide an enhanced operating environment, in which the user is required to supply only reduced number of inputs, while using the navigation system. Thus, where a user is driving, for example, an enhanced operation environment provides important

navigational output with minimal user inputs. It is thus desirable that allows a user to input complex information through alternative devices ahead of time" and "allow the user to input information by means of voice entries" (Rennard, Col. 11 lines 5-17).

As per claim 9, Bouve, Rennard, and Hancock teach the method for searching a database according to claim 8 as discussed above. Rennard also teaches: "digitally encoding an audio speech signal of the specified name, wherein the digitally encoded signal identifies a specific location and is stored in the locations table" at Col. 21 line 40 to Col 22 line 8.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bouve and Hancock's teachings based on Rennard 's teaching in order provide a safe environment for inputting data and to reduce the number of input by users while using the system. As noted by Rennard, "it is desirable to provide an enhanced operating environment, in which the user is required to supply only reduced number of inputs, while using the navigation system. Thus, where a user is driving, for example, an enhanced operation environment provides important navigational output with minimal user inputs. It is thus desirable that allows a user to input complex information through alternative devices ahead of time" and "allow the user to input information by means of voice entries" (Rennard, Col. 11 lines 5-17).

As per claim 10, Bouve, Rennard and Hancock teach the method for searching a database according to claim 8 as discussed above. Rennard also teaches: "the user pre-configures the locations table with geographical locations at which the user intends

to search" at Col. 21 line 40 to Col 22 line 8. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bouve and Hancock's teachings based on Rennard 's teaching in order provide a safe environment for inputting data and to reduce the number of input by users while using the system. As noted by Rennard, "it is desirable to provide an enhanced operating environment, in which the user is required to supply only reduced number of inputs, while using the navigation system. Thus, where a user is driving, for example, an enhanced operation environment provides important navigational output with minimal user inputs. It is thus desirable that allows a user to input complex information through alternative devices ahead of time" and "allow the user to input information by means of voice entries" (Rennard, Col. 11 lines 5-17).

As per claim 11, Bouve, Rennard and Hancock teach the method for searching a database according to claim 8 as discussed above. Rennard also teaches the steps of:

- "requesting a user identification before storing a specified name and corresponding location information in the locations table" at Col. 11 lines 55-67;
- "requesting a user identification before searching the locations table, wherein the specified names and corresponding locations are stored according to the user identification" at Col. 11 lines 55-67 and Col. 21 line 40 to Col 22 line 8.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bouve and Hancock's teachings based on Rennard 's teaching in order provide a safe environment for inputting data and to reduce the number of input by users while using the system. As noted by Rennard, "it is desirable

to provide an enhanced operating environment, in which the user is required to supply only reduced number of inputs, while using the navigation system. Thus, where a user is driving, for example, an enhanced operation environment provides important navigational output with minimal user inputs. It is thus desirable that allows a user to input complex information through alternative devices ahead of time" and "allow the user to input information by means of voice entries" (Rennard, Col. 11 lines 5-17).

Response to Arguments

5. Applicant's arguments filed May 16, 2005 have been fully considered but they are not persuasive. The examiner respectfully traverses applicant's arguments.

Applicant argued that Hancock does not teach: "the user's communication device comprises a mobile communication device and the different geographic location specified by the user is a previous location of the user's mobile communication device". On the contrary, Hancock teaches at Col. 26, lines 19-22 that "the ALI device 1406 is used to track the position, and possibly the speed and bearing of the portable-computing device 1302" using "cellular network triangulation method". Hancock further teaches at Col. 27 lines 40-49 that "desired location may be different from the current location". For example, desired location is a future location, which is predicted using current location and current speed. Because the user and the mobile communication device are moving, at any point in the future, the "current location" becomes "previous location", and further, "future location" will also become "previous location" at a certain time in the future. Therefore, Hancock teaches the limitation "the different geographic

location specified by the user is a previous location of the user's mobile communication device" as claimed.

In light of the foregoing arguments, the 35 U.S.C 103 rejections are hereby sustained.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh B. Pham
Examiner
Art Unit 2167

June 30, 2005
KBP

MOHAMMAD ALI
PRIMARY EXAMINER